

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES OF THE DISTRICT COUNCIL NO.)
14 METAL POLISHERS 401(k) RETIREMENT)
PLAN FUND; and TRUSTEES OF THE)
CHICAGO PAINTERS AND DECORATORS)
WELFARE FUND,)
) No. 14 C 3959
Plaintiffs,)
v.)
) Judge Lefkow
JOHN CICHY, Individually and d/b/a)
LAKESIDE RESTORATIONS, LAKE SIDE)
RESTORATION, LAKESIDE MARBLE)
RESTORATIONS, LAKESIDE MARBLE)
RESTORATIONS, INC.; and LAKESIDE)
MARBLE RESTORATIONS, INC., a dissolved)
Illinois corporation,)
) Magistrate Judge Mason
Defendants.)

PLAINTIFFS' MOTION FOR JUDGMENT IN A SUM CERTAIN

Plaintiffs, by and through their attorneys, DONALD D. SCHWARTZ, JAMES R. ANDERSON, PAUL M. EGAN, GRANT R. PIECHOCINSKI, and ARNOLD AND KADJAN, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, move this Court to enter Judgment in a Sum Certain against the Defendants on Count III of the Complaint. In support of their Motion, the Plaintiffs state as follows:

1. This is an action to recover delinquent fringe benefit fund contributions.
2. On September 24, 2014, Plaintiffs served the corporate Defendant by serving the State of Illinois, Secretary of State.
3. On November 4, 2014, the individual defendant, JOHN CICHY, was served with the Summons and Complaint.

4. More than twenty-one days have passed after service of process and the Defendant has not served an answer or any other responsive pleading. Defendant has not moved for an enlargement of time in which to answer or otherwise plead. The Defendants were defaulted by order of this Court dated December 18, 2014.

5. Defendants defaulted on the amount owed on their Installment note, which is the subject matter of the Complaint. According to the Affidavit of Sarah Radtke, attached hereto as Exhibit 1, the Defendants owe \$16,234.40 as the unpaid balance owed on the installment note. There is no just reason for delay in the entry of a final judgment on this Count.

WHEREFORE, Plaintiffs pray that this Court grant the following relief:

A. Enter a final judgment, pursuant to Federal Rule of Civil Procedure 54(b) in favor of Plaintiffs and against the Defendants in the amount of \$16,234.40, and expressly find that there is no just reason for delay in the entry of a final judgment on this Count. (A copy of a proposed order is attached hereto as Exhibit 2).

Respectfully submitted,

TRUSTEES OF THE DISTRICT COUNCIL et al,

S/ Grant R. Piechocinski
One of their attorneys

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